

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

Norfolk Division

In re:  
KENNETH COFIELD and;  
CHARLENE COFIELD,

Case No. 09-73245-SCS  
Chapter 13

Debtors.

**OBJECTION TO DEBTORS MOTION TO  
APPROVE LOAN MODIFICATION**

COMES NOW R. Clinton Stackhouse, Jr., Chapter 13 Trustee (the "Trustee"), and objects to the Debtors motion to approve loan modification filed in this case. In support of this Objection, the Trustee states as follows:

1. Kenneth Cofield and Charlene Cofield (the "Debtors") filed a voluntary petition under Chapter 13 of Title 11 of the United States Code in this Court on August 6, 2009 (the "Petition Date"). Relief was ordered.

2. On August 7, 2009, the Trustee was appointed in this case and continues to serve in that capacity.

3. On August 17, 2009, Hilary B. Bonial, Esquire of Brice, Vander Linden & Werrick, P.C. filed with the Court a notice of appearance on behalf of Saxon Mortgage.

4. On September 1, 2009, the Debtors filed their original plan (the "Plan"), which was has not been confirmed by the Court.

5. Also on September 1, 2009, the Debtors filed a corrected amended Plan (the "Corrected Amended Plan"), which was confirmed by the Court on October 21, 2009.

R. Clinton Stackhouse, Jr. VSB No. 19358  
Chapter 13 Trustee  
7021 Harbour View Blvd., Suite 101  
Suffolk, VA 23435  
(757) 333-4000 Telephone  
(757) 333-3434 Facsimile

6. On July 30, 2013, the Debtors filed a motion to approve loan modification, seeking approval to modify their existing mortgage loan on the real property located at 1314 South Carrington Crescent, Portsmouth, VA 23701 (the "Motion to Approve").

7. The Motion to Approve is not properly served pursuant to Local Rule 6004-4(A); specifically, it fails to provide twenty-one (21) days' notice upon Hilary B. Bonial, Esquire of Brice, Vander Linden & Werrick, P.C. on behalf of Saxon Mortgage.

For the foregoing reason, the Trustee objects to the Motion to Approve Loan Modification.

R. Clinton Stackhouse, Jr.  
Chapter 13 Trustee

*/s/ R. Clinton Stackhouse, Jr.*

---

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14<sup>th</sup> day of August, 2013, I will electronically file the foregoing Objection with the Clerk using the CM/ECF system, which will then send electronic notification of such filing to Steve C. Taylor, Esq., counsel for the Debtors; Hilary B. Bonial, Esquire, counsel for Saxon Mortgage and that a true copy was mailed, first class, postage prepaid to:

Kenneth Cofield  
Charlene Cofield  
1314 South Carrington Crescent  
Portsmouth, VA 23701

*/s/ R. Clinton Stackhouse, Jr.*

---